

**Security Council**

Fifty-fifth year

*Provisional***4151**st meeting

Friday, 2 June 2000, 2 p.m.

New York

<i>Chairman:</i>	Mr. Levitte	(France)
<i>Members:</i>	Argentina	Ms. Moglia
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Vámos-Goldman
	China	Mr. Chen Xu
	Jamaica	Mr. Ward
	Malaysia	Mr. Mohammad Kamal
	Mali	Mr. Maiga
	Namibia	Mrs. Ashipala-Musavyi
	Netherlands	Mr. Kooijmans
	Russian Federation	Mr. Gatilov
	Tunisia	Mr. Jerandi
	Ukraine	Mr. Sobko
	United Kingdom of Great Britain and Northern Ireland	Ms. Dickson
	United States of America	Mr. Minton

Agenda

The situation concerning the Democratic Republic of the Congo

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-178.



The meeting was called to order at 2 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning the Democratic Republic of the Congo

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Following consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

"The Security Council recalls the letter from the Secretary-General of 18 April 2000 (S/2000/334) and the letter from its President of 28 April 2000 (S/2000/350). The Council also recalls the letters from the Permanent Representative of the Democratic Republic of the Congo to the United Nations to its President of 26 April 2000 (S/2000/362) and of 1 June 2000 (S/2000/515).

"The Security Council welcomes the recommendation made by its mission to the Democratic Republic of the Congo, contained in paragraph 77 of its report of 11 May 2000 (S/2000/416), to proceed with the early establishment of an expert panel on the illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo.

"The Security Council requests the Secretary-General to establish this panel, for a period of six months, with the following mandate:

- To follow up on reports and collect information on all activities of illegal exploitation of natural resources and other forms of wealth of the Democratic Republic of the Congo, including in violation of the sovereignty of that country;
- To research and analyse the links between the exploitation of the natural resources and other forms of wealth in the Democratic Republic of the Congo and the continuation of the conflict;

- To revert to the Council with recommendations.

"The Security Council stresses that in order to implement its mandate, the expert panel, which will be based at the United Nations Office at Nairobi, may receive logistical support from the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and make visits to various countries of the region, making contact during its visits with diplomatic missions in the capitals concerned, and, if necessary, to other relevant countries.

"The Security Council requests the Secretary-General to appoint the members of the panel, in consultation with the Council, on the basis of candidates' professional expertise, impartiality and knowledge of the subregion. The Council stresses that the Chairman of the panel should be an eminent personality with the necessary experience and decides that the panel will consist of five members, including its Chairman. The Council underlines that the panel might call upon the technical expertise of the Secretariat and of the Funds and Programmes and Specialized Agencies of the United Nations, as required. Voluntary contributions to support the Panel would be welcomed.

"The Security Council requests the Secretary-General to report to it on the steps taken to establish the expert panel. The Council requests also that the expert panel, once established, submit to the Council, through the Secretary-General, a preliminary report with initial findings after three months and a final report, with recommendations, at the end of its mandate."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2000/20.

The Security Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 2.05 p.m.



Security Council

Fifty-fifth year

Provisional

4152nd meeting

Thursday, 8 June 2000, 11.30 pm

New York

<i>President:</i>	Mr. Levitte	(France)
<i>Members:</i>	Argentina	Mr. Cappagli
	Bangladesh	Mr. Ahmed
	Canada	Mr. Duval
	China	Mr. Shen Guofang
	Jamaica	Miss Durrant
	Malaysia	Mr. Hasmy
	Mali	Mr. Ouane
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Lavrov
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Krokhmal
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Cunningham

Agenda

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 5 of Security Council resolution 1281 (1999) (S/2000/520)

Letter dated 5 June 2000 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (S/2000/536)

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The meeting was called to order at 11.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation between Iraq and Kuwait

Report of the Secretary-General pursuant to paragraph 5 of Security Council resolution 1281 (1999) (S/2000/520)

Letter dated 5 June 2000 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (S/2000/536)

The President (*spoke in French*): The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General pursuant to paragraph 5 of resolution 1281 (1999), document S/2000/520, and the letter dated 5 June 2000 from the Chairman of the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait (S/2000/536) transmitting the report of the Committee pursuant to paragraph 10 of resolution 1281 (1999).

Members of the Council also have before them document S/2000/544, which contains the text of a draft resolution submitted by France and the United Kingdom of Great Britain and Northern Ireland.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Argentina, Bangladesh, Canada, China, France, Jamaica, Malaysia, Mali, Namibia, Netherlands, Russian Federation, Tunisia, Ukraine, United

Kingdom of Great Britain and Northern Ireland, United States of America

The President (*spoke in French*): There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1302 (2000).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Ben Mustapha (Tunisia) (*spoke in Arabic*): I wish at the outset to thank the delegations of France and of the United Kingdom for having prepared the draft resolution on which we have just noted. We also thank you, Mr. President, for your own personal efforts towards its unanimous adoption by the Security Council.

Tunisia voted in favour of the draft resolution even though some provisions do not command our complete support. We wished, through this draft resolution, to meet the needs of all international and regional partners and international humanitarian organizations, with a view to drawing attention to the suffering of the Iraqi people and to trying to put an end to that suffering, which has lasted far too long. That suffering is a direct result of the sanctions that have been imposed upon Iraq for the past 10 years.

That is why we had hoped that the draft resolution would contain a clear and explicit request for a focused assessment of the sanctions imposed on the Iraqi people and of their effects. We believe that such an assessment might have helped the Security Council fully and completely to play its role in the light of its own resolutions, and to ensure that those resolutions were respected. That, however, did not come about, which we regret.

Nonetheless, we are committed to the continuation of the oil for food programme in order to alleviate the suffering of the Iraqi people; that is why Tunisia did not wish to block the consensus that emerged and that made it possible to adopt the draft resolution.

Mr. Shen Guofang (China) (*spoke in Chinese*): It has been more than three years since the beginning of the oil for food programme for Iraq, a programme that has contributed to easing the humanitarian suffering of Iraqi civilians. Since the sanctions against Iraq have not yet been lifted or suspended, the extension of the programme will help improve the humanitarian situation in Iraq. For that reason, we have adopted a

positive position with respect to that extension. It was in that spirit that the Chinese delegation took an active part in the consultations on the draft resolution and proposed a number of revisions, some of which are reflected in the text. The Chinese delegation also made some compromises in order to achieve consensus.

We are not, however, entirely satisfied with the resolution that the Council has just adopted, especially with paragraph 18, because it does not fully reflect an important element favoured by most States members of the Council, including China: a request that the Secretary-General conduct an assessment of the impact of the 10 years of sanctions against Iraq, and to submit to the Security Council a objective and comprehensive consolidated report. We believe that the humanitarian suffering of Iraqi civilians is, principally, a consequence of the 10 years of sanctions against Iraq.

The present text invites the Secretary-General to appoint independent experts to prepare a report; the Chinese delegation is in favour of that. But the text is evasive on the key issue of whether the report should focus on an assessment of the impact of the sanctions, and it is rather vague about the mandate of the experts. That is deeply regrettable.

The Chinese delegation voted in favour of the draft resolution, but our position remains unchanged. We still believe that the United Nations should as early as possible conduct a comprehensive assessment of the impact of the sanctions on the humanitarian situation in Iraq. I am confident that the group of experts to be appointed by the Secretary-General will give full consideration to those elements in their work.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): The Russian delegation voted in favour of the draft resolution, because of the need to continue the United Nations humanitarian programme in Iraq. We consider it important that the resolution establishes the level of appropriations for the rehabilitation of the oil sector in Iraq at \$600 million, and includes a new notification regime for water and sanitation contracts and medicines.

We regret, however, that the text does not reflect a number of other important proposals to ease the humanitarian crisis in Iraq. I refer in particular to restoring civil air communications with Iraq and to repaying Iraq's debt to the United Nations and to other international organizations. We agree with many other delegations about the need for an in-depth analysis of

the impact of economic sanctions on the humanitarian situation in Iraq. But we consider that the wording of the resolution in that connection is rather vague and detracts from that specific goal. We would prefer that this provision of the draft resolution, as was initially intended, focus on the negative impact of sanctions in bringing that to light. But this paragraph, I repeat, was formulated in a rather general way and we think that the group of independent experts should deal precisely with the consequences of sanctions. If, in their purview, there are other things that do not directly relate to the sanctions issue, these issues must be considered as a whole, without any exceptions. In that case, these questions must include the negative impact of the bombings by the United States and the United Kingdom against civilian targets and the economic infrastructure of Iraq. As we found out today from the statement made by the Minister of Defence of the United Kingdom, the intensity of these bombings has grown by a factor of 30 since December 1998.

We also had problems with operative paragraph 2, which we believe unjustifiably stresses the supply of food and medicine. Of course, these are important goods, but we think that areas such as oil and energy and the development of the transport infrastructure are just as important. Unless the crisis in these sectors of the Iraqi economy is overcome, we cannot hope for any improvement in the supply of food and medicines to the Iraqi people. We note that this specific paragraph achieved balance in the end. In view of that, the Russian delegation decided to go along with the consensus on the resolution.

In conclusion, we wish to note that with the adoption of this resolution, the humanitarian crisis in Iraq will not be overcome. Although the measures undertaken in the humanitarian programme are meaningful and necessary, the only way to radically improve the situation is through the speedy lifting of economic sanctions. For this we need the Security Council to comprehensively consider all aspects of the Iraq situation and all reasons which impede a comprehensive implementation of resolution 1284 (1999), particularly regarding the disarmament and monitoring parts. We hope that the Security Council will do this in the foreseeable future.

Sir Jeremy Greenstock (United Kingdom): It is a great pleasure to work with the delegation of France in cosponsoring this resolution which has achieved 15 votes in the Council. I think it is a very important

signal behind the hard work the Office of the Iraq Programme does in implementing the humanitarian programme and the oil for food programme in Iraq that we have voted unanimously to adopt this resolution.

I listened carefully to the previous three statements and fully understand that for them, as indeed I think for every delegation around this table, this text is not the ideal. This is the whole point about what we have achieved during the course of today's negotiations. Nobody is completely satisfied, but compromises are necessary in work on a subject as complex as Iraq. The United Kingdom is very grateful to Council colleagues for nevertheless sending the signal that we are unanimous behind this resolution, and it is a very important signal as we all seek to implement resolution 1284.

It goes without saying that the Secretary-General will be guided by the resolution, and cannot be guided by national statements after the adoption of the resolution, in setting the task for the experts that we have asked them to perform. We can all list special things we want included in any analysis. But here, I am sure, we will be guided by the resolution and that is what we have together adopted formally today.

In one of the previous statements mention was made of activity in the no-fly zones, and let me just respond to that. At no time in the past, now or in the future has or will the United Kingdom bomb the civilian infrastructure of Iraq. The action that we take in the no-fly zones is, following Security Council resolution 688 (1991), to protect the civilian population of Iraq from repression by the Iraqi Government. The military action that we take is purely in response to attacks on our aircraft in the no-fly zones which are patrolling without intent to bomb anybody or anything. There is an easy explanation for the increase in the use of ordinance over the past 18 months, and that is that the Iraqi ground forces and air force have attacked our coalition aircraft more than 650 times in that period and we have been responding to defend ourselves. That uses up ordinance. That is the sole explanation for the figures which were quoted by the representative of the Russian Federation.

I think we can be satisfied with today's work and grateful for your leadership of that and I hope we can now look forward and move forward.

Mr. van Walsum (Netherlands): In voting for this resolution, my delegation has also expressed its

support for the request the Council is addressing to the Secretary-General to appoint independent experts to prepare a comprehensive report and analysis of the humanitarian situation in Iraq. We do not expect great surprises from this analysis because we know that the sanctions have a negative affect on the humanitarian situation in Iraq. But an analysis by independent experts will also shed light on some inexplicable actions on the part of the Iraqi authorities. My delegation continues to be puzzled by the Iraqi Government's recurrent practice to adopt measures that harm its own people. At first sight such measures may seem totally irrational, but they probably make some sense if they are seen in the light of the Iraqi Government's attempt at convincing the international community that the only way to improve the humanitarian situation in Iraq is to lift the sanctions all together.

The second motive, hardly more rational it would seem, may be simply to register disapproval of a country that is trying to help the Iraqi people within the parameters of the relevant Security Council resolutions. It is as though Iraq only wants to have dealings with countries that have shown their disapproval of resolution 1284 by abstaining on it.

It is surprising to see to what length the Iraqi Government will go to make this point. Recently, non-governmental organizations have been prevented from supplying Iraq with humanitarian goods solely, as we must presume, on account of their being based in the Netherlands.

In one such instance a Netherlands-based non-governmental organization tried to ship 72 tonnes of dry skimmed milk to Iraq. It was instructed by the Iraqi Ministry of Health to have the manufacturer indicate a shelf-life of one year, instead of the customary two years or more. Upon the consignment's arrival in Iraq, a sample was taken for testing purposes. Six months later, the non-governmental organization in question was informed that the consignment had been rejected. Counter-checks were made, both in the Netherlands and in a third country, which showed there was nothing wrong with the milk powder, but the Iraqi decision was declared to be final. Due to the arbitrarily reduced shelf-life and the bulk of the consignment, reallocation was not an option. The shipment, with a value of about \$300,000, is presumably going to be, or has been, destroyed.

Other Netherlands-based non-governmental organizations have had similar experiences. My authorities are not in a position to tell those organizations either to give up or to persevere. My personal guess is that they will keep on trying, for we all agree that the Iraqi people should not be made to suffer for the irresponsible behaviour of its leaders. That is why the Council and the Secretariat, the sanctions Committee and the Office of the Iraq Programme, are working so hard to implement the humanitarian provisions contained in part C of resolution 1284 (1999), hoping that the Government of Iraq will soon change its mind and accept the whole resolution for what it is — that is, the shortest way to a suspension, and ultimately a full lifting, of the sanctions.

Mr. Cunningham (United States of America): I simply wanted to say that our work on, and support for, this unanimous resolution results from my delegation's concern for the difficult circumstances that the people of Iraq find themselves in while the Iraqi Government fails to comply with Security Council resolutions.

I would like to associate myself with the remarks of Ambassador Greenstock, both in terms of the resolution and with regard to activities of coalition aircraft in the no-fly zones. And in that context I want to add that it is disingenuous to suggest that the limited military operations of our aircraft, in self-defence against military targets that threaten them, somehow impacts the overall humanitarian situation.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): I do apologize for asking for the floor again, but I should like to continue this discussion that has developed and which relates to the implementation of Security Council resolutions on Iraq.

Some of my colleagues have just said in response to my statement that their use of force against Iraq — which has continued all along and which has intensified in the last year and a half — is based on a resolution of the Security Council. We have also heard an accusation against Baghdad in the discussion, namely, that it does not approve certain contracts to supply goods from a given country. Of course, these are important questions, and I think it is very useful for us to discuss them today — not because I want to engage in confrontation or get into an argument about it here, but just because unless we discuss these matters openly, honestly and in the presence of our colleagues

who are not members of the Security Council, then we would just be pretending that there are resolutions and there are realities.

I think we need to have a comprehensive consideration of all aspects of the Iraqi situation that I mentioned at the end of my previous statement. We would like to know about many things. We would like to find out, for example, who specifically works in Iraqi Kurdistan. Which non-governmental organizations are operating there? Diplomats of which countries are visiting Iraqi Kurdistan without requesting visas to visit Iraq? And how, in general, are the activities of the United Nations in northern Iraq carried out? Who crosses the Iraqi border, and how?

In our resolutions we reaffirm each time the sovereignty and territorial integrity of Iraq. I think the Secretariat of the United Nations, which is present in northern Iraq, has some kind of information as to how these resolutions are implemented vis-à-vis Iraqi Kurdistan. We heard that the Permanent Representative of Iraq to the United Nations had submitted the letter of his Foreign Minister to the effect that his territory had been attacked again. We do not discuss these questions. We think this is the reality, and it has nothing to do with the resolution that we quite rightly reaffirm each time in our meetings.

I would be very grateful if the Secretariat could finally carry out a comprehensive analysis of what is happening with regard to the implementation of Security Council resolutions on Iraq. And, secondly, what is happening generally in Iraq and whether what is happening generally in Iraq and around Iraq is in accordance with Security Council resolutions. I would very much like to know in which specific Security Council resolution the term "no-fly" zone is actually used. In what specific resolution does it say that force from the air can be used over 60 per cent of the Iraqi territory? I would be very interested in having the Secretariat give us a comprehensive legal analysis of what is happening around Iraq, because each time we meet here to extend the oil-for-food programme, we call for the need to reach consensus and to have the Security Council be united. The same is true when we hear reports from the United Nations Monitoring, Verification and Inspection Commission (UNMOVIK), and the United Nations Special Commission, before it. In recent years, we have stressed the need to get to a comprehensive understanding of the entire Iraqi situation. Unfortunately, all colleagues agree with you

when talk with them informally; but when it is proposed that a comprehensive analysis be carried out officially, well, silence ensues. I wish to repeat the point that I do not wish to provoke any kind of confrontation today. I just want to stress that we cannot just continue to pretend each time that there is a humanitarian programme and that there is UNMOVIK — which has a life of its own — while at the same time there are these "no-fly" zones, non-governmental organizations working in northern Iraq and diplomats crossing Iraq's borders without visas.

If we were to find out about all this and do nothing to collate all these facts, the Security Council would not be doing its job, which is to resolve problems relating directly to the maintenance of peace and security.

That was my essential point. I believe that the United Nations Secretariat has enough authority under the Charter to draw our attention to the fact that the problem of Iraq is not being resolved by the Security Council. We are trying to alleviate the symptoms of the disease, but we are not addressing the heart of the problem.

I do not offer any concrete proposals because, as I said earlier, there are Security Council resolutions and there is reality. I hope that the reality will change some day, but I do not believe it will happen now as we approach midnight. I do hope, however, that it will occur at some point.

Mr. Shen Guofang (China) (*spoke in Chinese*): I should like to make a few comments on the no-fly zone.

China's opposition to the no-fly zone is known to all. China has never recognized the so-called no-fly zone. We believe that the report to be submitted by the independent experts should address the impact of the so-called no-fly zone. The report which the resolution requests the Secretary-General to submit should offer an exhaustive analysis of the impact of the sanctions on Iraq.

Whether or not the bombing has deliberately targeted civilians of Iraq, it has brought them suffering. That is an objective reality. We believe that the independent experts to be appointed by the Secretary-General must take this factor into consideration in their future work.

The Chinese delegation's vote in favour of the resolution should not be taken to indicate that we will change our position in this regard in the future.

Sir Jeremy Greenstock (United Kingdom): To save the Council's beauty sleep at this late hour, on behalf of the United Kingdom I will merely refer to all our previous statements in the Council explaining our actions in the no-fly zones, which set out clearly the rationale and justification for those actions.

The United Kingdom has no request to make of the Secretariat to examine any matters that are more a matter of national positions than of the Council's resolutions.

Mr. Lavrov (Russian Federation) (*spoke in Russian*): I wish simply to state that when I asked that we be given a rationale for the existence of the no-fly zones and the use of force there, I requested them of the United Nations Secretariat, not of any national delegation.

The President (*spoke in French*): There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Security Council will remain seized of the matter.

The meeting rose at 12.05 a.m.